

HON. JAMAL N. WHITEHEAD

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

IN RE VALVE ANTITRUST LITIGATION

Case No. 2:21-cv-00563-JNW

**DECLARATION OF TIMOTHY B.  
MCGRANOR IN SUPPORT OF  
CONSUMER PLAINTIFFS' MOTION TO  
LIFT STAY**

NOTE ON MOTION CALENDAR:  
October 25, 2024

I, Timothy B. McGranor, under penalty of perjury under the laws of the State of Washington and the United States, do declare as follows:

1. I am counsel of record for Consumer Plaintiffs in this action. I have personal knowledge of the facts set forth herein, and if called as a witness, I could and would competently testify to the matters stated herein.

2. On October 25, 2021, this Court stayed Consumer Plaintiffs' claims pending arbitration after holding that the Consumer Plaintiffs agreed to a mandatory arbitration clause in Defendant Valve Corporation's Steam Subscriber Agreement. (Dkt. No. 66.)

1           3.       On September 26, 2024, Valve amended the Steam Subscriber Agreement such  
2 that it no longer contains a mandatory arbitration clause or class action waiver. (Ex. A. to Dkt.  
3 No. 362.)

4           4.       On September 27, 2024, Valve filed a Status Report (Dkt. No. 362) informing this  
5 Court of that change and attaching the now-current Steam Subscriber Agreement. (Ex. A. to Dkt.  
6 No. 362.)

7           5.       The changes to Section 10 of the Steam Subscriber Agreement now require all  
8 disputes and claims of subscribers outside of the European Union and United Kingdom to be  
9 “commenced and maintained exclusively in any state or federal court located in King County,  
10 Washington, having subject matter jurisdiction,” including “any dispute or claim that arose before  
11 the existence of this or any prior agreement.” (Ex. A. to Dkt. No. 362.)

12           6.       On October 3, 2024, Consumer Plaintiffs filed a Motion to Lift Stay in light of the  
13 aforementioned changes to the Steam Subscriber Agreement.

14           Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true  
15 and correct. Executed on October 4, 2024.

16                               /s/ Timothy B. McGranor  
17 Timothy B. McGranor  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street  
18 Columbus, OH 43215  
Telephone: (614) 464-6400  
19 Fax: (614) 464-6350  
Email: [tmcgranor@vorys.com](mailto:tmcgranor@vorys.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF recipients.

DATED: October 4, 2024.

/s/ H. Troy Romero  
H. Troy Romero, WSBA #19044  
Romero Park P.S.  
1019 W. James Street, Suite 102  
Kent, Washington 98032  
(425) 450-5000 Telephone  
[tromero@romeropark.com](mailto:tromero@romeropark.com)